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LLP
LAWYERS

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13 Attorneys for USACM Liquidating Trust

14 **UNITED STATES BANKRUPTCY COURT
15 DISTRICT OF NEVADA**

16 In re:

17 USA COMMERCIAL MORTGAGE
18 COMPANY,

19 USA CAPITAL REALTY ADVISORS,
20 LLC,

21 USA CAPITAL DIVERSIFIED TRUST
22 DEED FUND, LLC,

23 USA CAPITAL FIRST TRUST DEED
24 FUND, LLC,

25 USA SECURITIES, LLC,
26 Debtors.

27 **Affects:**

28 All Debtors
29 USA Commercial Mortgage Company
30 USA Capital Realty Advisors, LLC
31 USA Capital Diversified Trust Deed Fund,
32 LLC
33 USA Capital First Trust Deed Fund, LLC
34 USA Securities, LLC

35 Case No. BK-S-06-10725-LBR
36 Case No. BK-S-06-10726-LBR
37 Case No. BK-S-06-10727-LBR
38 Case No. BK-S-06-10728-LBR
39 Case No. BK-S-06-10729-LBR

40 **CHAPTER 11**

41 Jointly Administered Under Case No.
42 BK-S-06-10725 LBR

43 **STIPULATION RE PROOFS OF
44 CLAIM FILED BY SERGIO DEL
45 CANIZO dba S & J ENTERPRISE**

46 The USACM Liquidating Trust, though undersigned counsel, and Sergio Del
47 Canizo, and Justine F. Del Canizo, ("Del Canizo"), husband and wife, agree and stipulate
48 as follows:

1 1. Tanamara Corporate Center, LLC ("Tanamara"), leased office space to
2 USACM pursuant to a lease dated March 16, 2005. Del Canizo purchased the property
3 from Tanamara thereafter.

4 2. Sergio Del Canizo, dba S & J Enterprise Investments Inc., filed proof of
5 claim No. 10725-00061 on July 14, 2006 in the unsecured non-priority amount of
6 \$66,668.00, which was amended by claim no. 10726-00061-2 filed on November 2, 2006
7 in the amount of \$66,668.00 as an unsecured non-priority claim for unpaid rent and other
8 expenses owed on the property leased by USACM and formerly owned by Tanamara.

9 3. Pursuant to Stipulation and Order Regarding Rejection of Lease with S & J
10 Enterprise Investments, Inc. [DE 1058] entered by this Court on August 1, 2006, the
11 property was vacated by USACM and the lease rejected by USACM as of May 15, 2006.

12 4. Believing that Del Canizo was filing a claim on behalf of Tanamera
13 Corporate Center LLC, the USACM Liquidating Trust filed a Motion to Classify Claims
14 Filed by Tanamera Corporate Center LLC in Plan Class A-7 and Reservation of
15 Counterclaim and Objections [DE 3075] (the "Motion") on March 13, 2007. The Motion
16 requested that the claim be reclassified as Class A-7, Subordinated Claim.

17 5. Notice of the Objection and status hearing regarding USACM Liquidating
18 Trust's Motion [DE 3075] was properly given.

19 6. Del Canizo responded to the objection. He advised Counsel for the USACM
20 Liquidating Trust that he is not affiliated with Tanamara. He purchased the property that
21 was leased to USACM from Tanamara. Del Canizo supplied documents to establish that
22 he did business as S & J Enterprise Investments Inc., the amount and legitimacy of the
23 claim.

24 7. Upon review of the documents and information supplied, the USACM
25 Liquidating Trust offered to stipulate to a general unsecured claim in the amount of
26 \$45,777.16 and Del Canizo agreed.

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1 The parties hereby stipulate and agree:

2 • The "Motion to Classify Claims filed by Tanamara Corporate Center, LLC,
3 [sic] in Class A-7" as it relates to the proofs of claim filed by Del Canizo be denied.

4 • Claim No. 10725-00061-1 filed by Canizo be disallowed in its entirety on
5 the ground that it is amended by Claim No. 10725-00061-2 filed by Del Canizo.

6 • Claim No. 10725-00061-2 filed by Canizo may be allowed as a General
7 Unsecured Claim in the amount of \$45,777.16 in full and complete satisfaction of any and
8 all filed proofs of claims, scheduled claims or administrative claims.

9 • The continued hearing scheduled for June 15, 2007 may be vacated.

10 Dated: June 13, 2007.

11 **LEWIS AND ROCA LLP**

12 By: /s/ RC (#6593)
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19 *Counsel for USACM Liquidating Trust*
20 -and-

21 Dated: June 6, 2007

22 Sergio Del Canizo

23 Justine F. Del Canizo

24 Sergio Del Canizo,
25 Sole Proprietor, S & J Enterprises

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AND
ROCA
LAWYERS

1 The parties hereby stipulate and agree:

2 • The "Motion to Classify Claims filed by Tanamara Corporate Center, LLC,

3 [sic] in Class A-7" as it relates to the proofs of claim filed by Del Canizo be denied.

4 • Claim No. 10725-00061-1 filed by Canizo be disallowed in its entirety on

5 the ground that it is amended by Claim No. 10725-00061-2 filed by Del Canizo.

6 • Claim No. 10725-00061-2 filed by Canizo may be allowed as a General

7 Unsecured Claim in the amount of \$45,777.16 in full and complete satisfaction of any and

8 all filed proofs of claims, scheduled claims or administrative claims.

9 • The continued hearing scheduled for June 15, 2007 may be vacated.

Dated: June - 6, 2007.

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Counsel for USACM Liquidating Trust
and

17 Dated: _____, 2007


Sergio Del Canizo

Justine F. Del Canizo

Justine F. Del Canizo

Sergio Del Canizo
Sole Proprietor, S & J Enterprises